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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DAN MILLER and BOBBI VIEGAS MILLER, :
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 : Plaintiffs, :
 :
 : -against- :
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 : MORNINGSIDE ADVISORS, LLC, AND :
 : ALFREDO CARRILLO, :
 :
 :
 : Defendants. :
 :
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21-CV-5968 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS on July 12, 2021, Plaintiffs commenced this action (Dkt. 1);

WHEREAS on July 26, 2021, Plaintiffs filed affidavits reflecting timely service of a summons and the Amended Complaint on Defendants (Dkt. 9, 10);

WHEREAS an initial pretrial conference is scheduled for September 10, 2021 at 11:00 a.m. (Dkt. 8);

WHEREAS Defendant Morningside Advisors, LLC failed to appear, answer, or otherwise respond to the Amended Complaint by the August 6, 2021 deadline to do so, *see* Fed. R. Civ. P. 12(a)(1);

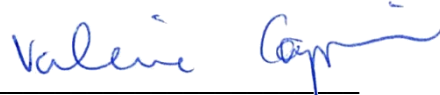
WHEREAS Defendant Alfredo Carrillo failed to appear, answer, or otherwise respond to the Amended Complaint by the August 11, 2021 deadline to do so, *see* Fed. R. Civ. P. 12(a)(1);

IT IS HEREBY ORDERED:

1. The initial pretrial conference scheduled for September 10, 2021 is canceled.
2. No later than **September 24, 2021**, Plaintiffs must apply for a default judgment against Defendants, consistent with the procedures described in Attachment A to the undersigned's Individual Practices in Civil Cases.

SO ORDERED.

Date: September 3, 2021
New York, New York



VALERIE CAPRONI
United States District Judge